

1906

## THE PARLIAMENT OF THE COMMONWEALTH.

## HOUSE OF REPRESENTATIVES.

No. 2.

## WEEKLY REPORT OF DIVISIONS IN COMMITTEE.

WEEK ENDED 13TH JULY, 1906.

WEDNESDAY, 11TH JULY, 1906.

No. 4.—*Australian Industries Preservation Bill (continued)*.—Clause 12 (as amended).

12. In this Part of this Act—

“Board” means a Board appointed under this part;

“Justice” means a Justice of the High Court;

“The Comptroller-General” means the Comptroller-General of Customs;

“Imported goods” and “Australian goods” include goods of those classes respectively, and all parts or ingredients thereof;

“Produced” includes manufactured, and “Producer” includes manufacturer;

“Trade” includes production of every kind.

—(*The Minister for Trade and Customs.*)Further amendment proposed—That the following words be inserted after the word “thereof”—  
“but do not include goods imported from, and the product of, the United Kingdom”.—(*Mr. Dugald Thomson.*)

Question—That the words proposed to be inserted be so inserted—put.

The Committee divided—

Ayes, 17.

Mr. Cameron,	Mr. McColl,
Mr. Conroy,	Mr. McWilliams,
Mr. Joseph Cook,	Mr. Dugald
Mr. Fowler,	Thomson.
Mr. Fuller,	Mr. Willis,
Sir Philip Fysh,	Mr. Wilson.
Mr. Glynn,	
Mr. Harper,	<i>Tellers.</i>
Mr. Johnson,	Mr. Lee,
Mr. Lonsdale,	Mr. Wilks.

Noes, 30.

Mr. Bamford,	Mr. Mauger,
Mr. Carpenter,	Mr. O'Malley,
Mr. Chanter,	Mr. Poynton,
Mr. Chapman,	Mr. Salmon,
Mr. Hume Cook,	Mr. Spence,
Mr. Culpin,	Mr. Storrer,
Mr. Deakin,	Mr. David
Mr. Ewing,	Thomson,
Mr. Fisher,	Mr. Tudor,
Sir John Forrest,	Mr. Watkins,
Mr. Frazer,	Mr. Watson,
Mr. Groom,	Mr. Webster.
Mr. Higgins,	
Mr. Hutchison,	<i>Tellers.</i>
Mr. Isaacs,	Mr. Mahon,
Mr. Kennedy,	Mr. Page.
Sir William Lyne,	

And so it passed in the negative.

THURSDAY, 12TH JULY, 1906.

No. 5.—*Australian Industries Preservation Bill (continued)*.—Clause 14.

14.—(1.) For the purposes of this Part of this Act, competition shall be deemed to be unfair if—

(a) [under] ordinary circumstances of trade it would probably lead \* \* \*

—(*The Minister for Trade and Customs.*)

Amendment proposed—That the word “under” in paragraph (a) be omitted.

—(*Mr. Dugald Thomson.*)

Question—That the word proposed to be omitted stand part of the paragraph—put.

The Committee divided—

Ayes, 30.

Mr. Batchelor,	Mr. Page,
Mr. Brown,	Mr. Poynton,
Mr. Carpenter,	Mr. Salmon,
Mr. Chanter,	Mr. Spence,
Mr. Chapman,	Mr. Storrer,
Mr. Crouch,	Mr. David
Mr. Culpin,	Thomson,
Mr. Deakin,	Mr. Tudor,
Mr. Ewing,	Mr. Watkins,
Mr. Fisher,	Mr. Watson,
Sir John Forrest,	Mr. Webster,
Mr. Groom,	Mr. Wilkinson.
Mr. Higgins,	
Mr. Hutchison,	
Mr. Isaacs,	<i>Tellers.</i>
Sir William Lyne,	Mr. Hume Cook,
Mr. Mauger,	Mr. O'Malley.

Noes, 12.

Mr. Cameron,	Mr. Willis,
Mr. Conroy,	Mr. Wilson.
Mr. Joseph Cook,	
Mr. Glynn,	
Mr. Johnson,	
Mr. Liddell,	<i>Tellers.</i>
Mr. Lonsdale,	
Mr. Dugald	Mr. Kelly,
Thomson,	Mr. McWilliams.

And so it was resolved in the affirmative.

No. 6.—*Australian Industries Preservation Bill (continued)*.—Clause 14 (*as amended*) (*continued*).

14. \* \* \*

(2.) In the following cases the competition shall be deemed unfair ~~until~~ unless the contrary is proved:—

(e) If the imported goods are imported by or for the manufacturer or some person acting for or in combination with him or accounting to him, and are being sold in Australia [at a price which is less than gives the person importing or selling them a fair profit upon their fair foreign market value, or] their \* \* \*

—(*The Minister for Trade and Customs.*)

Further amendment proposed—That the words “at a price which is less than gives the person importing or selling them a fair profit upon their fair foreign market value, or” be omitted from paragraph (e).

—(*Mr. Dugald Thomson.*)

Question—That the words proposed to be omitted stand part of the paragraph—put.

The Committee divided—

Ayes, 29.

Mr. Batchelor,	Mr. Poynton,
Mr. Brown,	Mr. Salmon,
Mr. Carpenter,	Mr. Spence,
Mr. Chanter,	Mr. Storrer,
Mr. Chapman,	Mr. David
Mr. Crouch,	Thomson,
Mr. Culpin,	Mr. Tudor,
Mr. Ewing,	Mr. Watkins,
Mr. Fisher,	Mr. Watson,
Sir John Forrest,	Mr. Webster,
Mr. Groom,	Mr. Wilkinson,
Mr. Hutchison,	Mr. Wilson.
Mr. Isaacs,	
Sir William Lyne,	<i>Tellers.</i>
Mr. O'Malley,	Mr. Hume Cook,
Mr. Page,	Mr. Mauger.

Noes, 9.

Mr. Conroy,	Mr. Willis.
Mr. Joseph Cook,	
Mr. Glynn,	
Mr. Johnson,	<i>Tellers.</i>
Mr. Lonsdale,	
Mr. Dugald	Mr. Kelly,
Thomson,	Mr. McWilliams.

And so it was resolved in the affirmative.

No. 7.—*Australian Industries Preservation Bill (continued)*.—Clause 14 (*as amended*) (*continued*).

14.—(1.) For the purposes of this Part of this Act, competition shall be deemed to be unfair if—

- (a) under ordinary circumstances of trade it would probably lead to the Australian goods being either **no longer produced or being** withdrawn from the market or **being** sold at a loss unless produced at a lower **an inadequate** remuneration for labour; or
- (b) the means adopted by the person importing or selling the imported goods are, in the opinion of the Comptroller-General or ~~the~~ **Beard a Justice**, as the case may be, unfair in the circumstances.

(2.) In the following cases the competition shall be deemed unfair ~~and~~ **unless** the contrary is proved :—

- (a) ~~If the person importing goods or selling imported goods is a Commercial Trust :~~
- (b) If the competition would probably or does in fact result in a lower remuneration for labour **in the Australian industry :**
- (c) If the competition would probably or does in fact result in ~~greatly disorganizing~~ **creating any substantial disorganization in** Australian industry or throwing workers out of employment :
- (d) If the imported goods have been purchased abroad **by or for the importer from the manufacturer or some person acting for or in combination with him or accounting to him** at prices greatly below their ordinary cost of production where produced or market price where purchased :
- (e) If the imported goods are **imported by or for the manufacturer or some person acting for or in combination with him or accounting to him, and are** being sold in Australia at a price which is less than gives the person importing or selling them a fair profit upon their fair foreign market value, or their cost of production, together with all charges after shipment from the place whence the goods are exported directly to Australia (including Customs duty) :
- (f) ~~If the person importing or selling the imported goods directly or indirectly gives to agents or intermediaries disproportionately large reward or remuneration for selling or recommending the goods.~~

(3.) In determining whether the competition is unfair, regard shall be had to the efficiency of the management, the processes, the plant, and the machinery employed or adopted in the Australian industry affected by the competition.

—(*The Minister for Trade and Customs.*)

Question—That the clause, as amended, stand part of the Bill—put.

The Committee divided—

Ayes, 21.

Mr. Batchelor,	Mr. Poynton,
Mr. Brown,	Mr. Salmon,
Mr. Chanter,	Mr. Spence,
Mr. Chapman,	Mr. Storrer,
Mr. Ewing,	Mr. David
Mr. Fisher,	Thomson,
Sir John Forrest,	Mr. Tudor,
Mr. Groom,	Mr. Wilson.
Mr. Hutchison,	
Mr. Isaacs,	<i>Tellers.</i>
Sir William Lyne,	Mr. Hume Cook,
Mr. Page,	Mr. Culpin.

Noes, 8.

Mr. Joseph Cook,	Mr. Willis.
Mr. Johnson,	
Mr. Kelly,	<i>Tellers.</i>
Mr. Lonsdale,	Mr. Conroy,
Mr. Dugald Thomson,	Mr. McWillia ms.

And so it was resolved in the affirmative.

FRIDAY, 13TH JULY, 1906.

No. 8.—*Australian Industries Preservation Bill (continued)*.—Clause 15.

15.—(1.) The Comptroller-General whenever he has

(2.) The certificate of the Comptroller-General shall specify

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—(*The Minister for Trade and Customs.*)

Further amendment proposed—That the following new sub-clause be inserted to follow sub-clause (2):—

“(2A.) If the unfairness in the competition is indicated in respect of prices the Comptroller-General shall specify what in his opinion are fair selling prices for the goods sought to be protected under this Act, or which may be imported, subject to any specified conditions or restrictions under this Act.”

Question—That the sub-clause proposed to be inserted be so inserted—put.

—(*Mr. Fowler.*)

The Committee divided—

Ayes, 19.		Noes, 23.	
Mr. Batchelor,	Mr. McWilliams,	Mr. Bamford,	Mr. Poynton,
Mr. Brown,	Mr. Spence,	Mr. Chanter,	Mr. Ronald,
Mr. Carpenter,	Mr. David	Mr. Chapman,	Mr. Salmon,
Mr. Conroy,	Thomson,	Mr. Joseph Cook,	Mr. Skene,
Mr. Fisher,	Mr. Watson,	Mr. Culpin,	Mr. Storrer,
Mr. Fowler,	Mr. Webster,	Mr. Ewing,	Mr. Dugald
Mr. Frazer,	Mr. Wilks.	Sir John Forrest,	Thomson,
Sir Philip Fysh,		Mr. Glynn,	Mr. Wilkinson,
Mr. Hughes,	<i>Tellers.</i>	Mr. Hutchison,	Mr. Wilson.
Mr. Liddell,	Mr. Johnson,	Mr. Isaacs,	
Mr. Lonsdale,	Mr. Lee.	Mr. Kelly,	<i>Tellers.</i>
		Sir William Lyne,	Mr. Hume Cook,
		Mr. Page,	Mr. Mauger,

And so it passed in the negative.

No. 9.—*Australian Industries Preservation Bill (continued)*.—Clause 15 (as amended) (continued)

15. \* \* \* 151 \* \*

(4.) The Comptroller-General shall, before making his certificate, give to the importer an opportunity to show cause why the certificate should not be made, and furnish him with a copy of the complaint.

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—(The Minister for Trade and Customs.)

Further amendment proposed—That the following new sub-clause be inserted after sub-clause (4):—  
“(4A.) No certificate shall be issued on information supplied by any person not being an officer of the Public Service unless such person gives to the Minister a bond for such amount, and with such sureties as the Minister may approve, to abide any order of the Justice as to costs if the Justice determines the question in favour of the importer.”

—(Mr. Glynn.)

Question—That the new sub-clause proposed to be inserted be so inserted—put. ]

The Committee divided—

Ayes, 15.		Noes, 26.	
Mr. Brown,	Mr. McWilliams,	Mr. Batchelor,	Mr. Ronald,
Mr. Conroy,	Mr. Dugald	Mr. Carpenter,	Mr. Salmon,
Mr. Joseph Cook,	Thomson,	Mr. Chanter,	Mr. Spence,
Mr. Glynn,	Mr. Wilks,	Mr. Chapman,	Mr. Storrer,
Mr. Hughes,	Mr. Wilson.	Mr. Culpin,	Mr. David
Mr. Johnson,		Mr. Ewing,	Thomson,
Mr. Knox,	<i>Tellers.</i>	Mr. Fisher,	Mr. Tudor,
Mr. Lee,	Mr. Kelly,	Sir John Forrest,	Mr. Watson,
Mr. Lonsdale,	Mr. Liddell.	Mr. Hutchison,	Mr. Webster,
		Mr. Isaacs,	Mr. Wilkinson.
		Sir William Lyne,	
		Mr. Maloney,	
		Mr. Mauger,	<i>Tellers.</i>
		Mr. Page,	Mr. Hume Cook,
		Mr. Poynton,	Mr. Frazer,

And so it passed in the negative.

No. 10.—*Australian Industries Preservation Bill (continued)*.—Clause 17 (as amended).

17. \* \* \* \* \*

(7.) The Justice shall forward his determination to the Minister

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—(The Minister for Trade and Customs.)

Further amendment proposed—That the following words be added to new sub-clause (7) —

“ who shall—

- (a) lay the determination before both Houses of the Parliament within seven days after its receipt, if the Parliament is then sitting, or, if the Parliament is not then sitting, within seven days of the next meeting of the Parliament ; and
- (b) cause to be submitted to both Houses of the Parliament a resolution approving of the determination.

(7A.) If the resolution is passed by both Houses of the Parliament, the Governor-General may, under the powers of the *Customs Act* 1901, prohibit the importation of the imported goods, either absolutely or under such conditions and restrictions as he deems just, and in that case the provisions of that Act shall apply to goods so prohibited.”

—(Mr. Knox.)

Question—That the words proposed to be added be so added—put.

The Committee divided—

Ayes, 15.

Mr. Cameron,	Mr. McWilliams,
Mr. Joseph Cook,	Mr. Robinson,
Mr. R. Edwards,	Mr. Dugald
Mr. Glynn,	Thomson,
Mr. Kelly,	Mr. Wilks.
Mr. Knox,	
Mr. Lee,	<i>Tellers.</i>
Mr. Lonsdale,	Mr. Conroy,
Mr. McLean,	Mr. Johnson.

Noes, 29.

Mr. Bamford,	Mr. Mauger,
Mr. Batchelor,	Mr. O'Malley,
Mr. Carpenter,	Mr. Page,
Mr. Chapman,	Mr. Poynton,
Mr. Crouch,	Mr. Ronald,
Mr. Culpin,	Mr. Salmon,
Mr. Deakin,	Mr. Storrer,
Mr. Ewing,	Mr. David
Mr. Fisher,	Thomson,
Sir John Forrest,	Mr. Tudor,
Mr. Frazer,	Mr. Watkins,
Mr. Groom,	Mr. Webster.
Mr. Hutchison,	
Mr. Isaacs,	<i>Tellers.</i>
Sir William Lyne,	Mr. Hume Cook,
Mr. Mahon,	Mr. Wilkinson.

And so it passed in the negative.

No. 11.—*Australian Industries Preservation Bill (continued)*.—Clause 17 (as amended) (continued).

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(7.) The Justice shall forward his determination to the Minister. <sup>^</sup>

—(The Minister for Trade and Customs.)

Further amendment proposed—That the word “Provided” be added to new sub-clause (7).

—(Mr. Robinson.)

Question—That the word proposed to be added be so added—put.

The Committee divided—

Ayes, 16.

Mr. Cameron,	Mr. McWilliams,
Mr. Conroy,	Mr. Robinson,
Mr. Joseph Cook,	Mr. Dugald
Mr. R. Edwards,	Thomson,
Mr. Glynn,	Mr. Wilson.
Mr. Kelly,	
Mr. Knox,	<i>Tellers.</i>
Mr. Lee,	Mr. Johnson,
Mr. Lonsdale,	Mr. Wilks.
Mr. McLean,	

Noes, 31.

Mr. Bamford,	Mr. O'Malley,
Mr. Batchelor,	Mr. Page,
Mr. Carpenter,	Mr. Poynton,
Mr. Chapman,	Mr. Ronald,
Mr. Crouch,	Mr. Salmon,
Mr. Culpin,	Mr. Spence,
Mr. Deakin,	Mr. Storrer,
Mr. Ewing,	Mr. David
Mr. Fisher,	Thomson,
Sir John Forrest,	Mr. Tudor,
Mr. Frazer,	Mr. Watkins,
Mr. Groom,	Mr. Webster,
Mr. Hughes,	Mr. Wilkinson.
Mr. Hutchison,	
Mr. Isaacs,	<i>Tellers.</i>
Sir William Lyne,	Mr. Hume Cook,
Mr. Mahon,	Mr. Mauger.

And so it passed in the negative.

No. 12.—*Australian Industries Preservation Bill (continued)*.—Clause 17 (as amended) (continued).

17.       \*       \*       \*       \*       \*       \*       \*

(7.) The Justice shall forward his determination to the Minister. <sup>^</sup>

—(The Minister for Trade and Customs.)

Further amendment proposed—That the following new sub-clause be inserted after new sub-clause (7):—

“(7B) In the case of the following agricultural implements:—Ploughs of all kinds over 1½ cwt., tine harrows, disc harrows, grain drills, combined grain seed and manure drills, land rollers, cultivators, chaff cutters, seed cleaners, stripper harvesters, and any other implement usually used in agriculture, the Justice shall inquire into and determine the question whether the goods are being imported with the effect of benefiting the primary producers <sup>^</sup> of the Commonwealth.”

—(Mr. McWilliams.)

Amendment upon amendment proposed—That the following words be inserted after the word “producers” in line 5 of the amendment:—“without unfairly injuring any other section of the community”.

—(The Minister for Trade and Customs.)

Question—That the words proposed to be inserted in the proposed amendment be so inserted—put.

The Committee divided—

Ayes, 31.

Mr. Bamford,	Mr. Mauger,
Mr. Chanter,	Mr. Page,
Mr. Chapman,	Mr. Poynton,
Mr. Hume Cook,	Mr. Ronald,
Mr. Culpin,	Mr. Salmon,
Mr. Deakin,	Mr. Spence,
Mr. Ewing,	Mr. David
Mr. Fisher,	Thomson,
Sir John Forrest,	Mr. Tudor,
Mr. Frazer,	Mr. Watkins,
Mr. Groom,	Mr. Watson,
Mr. Hughes,	Mr. Webster,
Mr. Hutchison,	Mr. Wilkinson.
Mr. Isaacs,	
Sir William Lyne,	<i>Tellers.</i>
Mr. Mahon,	Mr. Carpenter,
Mr. Maloney,	Mr. O'Malley.

Noes, 16.

Mr. Brown,	Mr. Dugald
Mr. Joseph Cook,	Thomson,
Mr. R. Edwards,	Mr. Wilks,
Mr. Glynn,	Mr. Willis,
Mr. Johnson,	Mr. Wilson.
Mr. Kelly,	
Mr. Liddell,	<i>Tellers.</i>
Mr. Lonsdale,	Mr. Conroy
Mr. McLean,	Mr. Lee.
Mr. Robinson,	

And so it was resolved in the affirmative.